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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE "A MILLION LITTLE PIECES" LITIGATION

No. 06-md-1771

Hon. Richard J. Holwell

REPLY DECLARATION OF EVAN J. SMITH, ESQUIRE IN FURTHER SUPPORT OF AMLP PLAINTIFFS' GROUP'S MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT, CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF NOTICE PLAN

I, Evan J. Smith, Esquire, hereby declares:

1. I am an attorney, duly licensed and admitted to practice law in the State of New York and in this Court. I am a partner in the law firm of Brodsky & Smith, LLC, counsel for Plaintiff Michele Snow in these coordinated proceedings. I have personal knowledge of the facts set forth in this Declaration. If called upon and sworn as a witness, I could and would competently testify to these facts.

2. Attached hereto as Exhibit "1" is a true and correct copy of Rust Consulting firm's profile.

3. Attached hereto as Exhibit "2" is a true and correct copy of Kinsella/Novack Communications, Inc.'s firm profile.

4. Attached hereto as Exhibit "3" is a true and correct copy of a template for the *"A Million Little Pieces"* Settlement website

5. Attached hereto as Exhibit "4" is a true and correct copy of the *New York Times* September 6, 2006 article (on the New York Times website) about the proposed settlement.

6. Attached as Exhibit "5" is a true and correct copy of the Google search results of "A Million Little Pieces" and "Settlement", as well as the Google search results for A Million

Dockets.Justia.com

Little Pieces Settlement. On February 7, 2008 I personally performed both of these Google searches.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: January 8, 2007

/s Evan J. Smith, Esquire (ES3254)
Evan J. Smith, Esquire (ES3254)